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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	NO. CR 19-226 RS
	)	
Plaintiff,	)	STIPULATION AND <del>[PROPOSED]</del>
	)	PROTECTIVE ORDER RE: DISCOVERY
v.	)	
LORENZO LEE,	)	
a/k/a "O.G.,"	)	
JEFFREY MCCOY,	)	
ANTHONY BROWN,	)	
a/k/a "Ant Man,"	)	
DESHAWNTE GAMBOA,	)	
DEBORAH POLK,	)	
EVAN MARTINEZ-DIAZ,	)	
MAGO AGUILAR-PACHECO,	)	
CESAR ALVARADO,	)	
JESSE LOPEZ, III,	)	
JOSE DELGADILLO,	)	
a/k/a "Tepa,"	)	
MARCO DELGADILLO,	)	
a/k/a "Tonio,"	)	
LUIS TORRES-GARCIA,	)	
a/k/a "Guero," and	)	
TIMOTHY PEOPLES,	)	
a/k/a "Tee,"	)	
	)	
Defendants.	)	

1 The government and the defendants in the above-captioned matter, by and through undersigned  
2 counsel, hereby stipulate and request that the Court enter the following Protective Order governing the  
3 production of discovery in this action. The parties agree that this Protective Order shall apply to  
4 discovery deemed “CONFIDENTIAL-SUBJECT TO PROTECTIVE ORDER” produced prior to and  
5 after the date on which the Court signs the Protective Order. The parties further agree that this  
6 Protective Order does not enlarge or alter their respective obligations under Federal Rule of Criminal  
7 Procedure 16.

8 The defendants are currently charged with various drug-related offenses in an 18-count  
9 Indictment. In the near future, the United States will produce sensitive discovery, including wiretap and  
10 electronic communication-related documents, law enforcement reports, and other documents and  
11 evidence that contain information concerning confidential sources, uncharged third parties, and areas of  
12 investigation that are not yet completed (hereinafter collectively referred to as “Protected Information”).  
13 Many of these sensitive documents are currently under seal by order of the Court.

14 As such, the parties agree that the Court should order that the Protected Information be made  
15 available to the attorneys for the defendants subject to the following Protective Order limiting the  
16 dissemination of this information.

17 To ensure that Protected Information is not subject to unauthorized disclosure or misuse,  
18 **IT IS HEREBY ORDERED** that all Protected Information be marked as “CONFIDENTIAL-  
19 SUBJECT TO PROTECTIVE ORDER” by the United States when produced to the defense. Defense  
20 counsel of record, his or her investigators, assistants, employees, and independent contractors  
21 (collectively, “the defense team”) may review with defendant all discovery material produced by the  
22 government. No member of the defense team shall provide any defendant with copies of, or permit any  
23 defendant to make copies of, or have unsupervised access to, the Protected Information. The  
24 government and defense counsel are ordered to, and shall continue to, work together to ensure that these  
25 materials are protected, but that each defendant has as much access to the materials as can be provided  
26 consistent with this Court’s Order.

27 Defense counsel also may provide copies of Protected Information to any experts retained to  
28 assist with the preparation of the defense in the captioned case, to any appellate counsel, and to any new

1 defense counsel. Defendants, all members of the defense team, any appellate counsel, any new defense  
2 counsel, and any experts who receive Protected Information under this Protective Order shall be  
3 provided a copy of this Protective Order along with those materials and shall initial and date the  
4 Protective Order reflecting their agreement to be bound by it. This Protective Order shall also apply to  
5 any copies made of any materials covered by this Protective Order.

6 The materials provided pursuant to this Protective Order may only be used for the specific  
7 purpose of preparing or presenting a defense in this matter, unless specifically authorized by the Court.

8 **IT IS FURTHER ORDERED** that, if any defendant disagrees that material should be Protected  
9 Information, counsel for such defendant shall meet and confer with the United States regarding the  
10 issue, and the United States may, at its option, de-designate material as Protected Information. If the  
11 parties cannot agree on whether material should remain Protected Information, defendant may file a  
12 motion with the Court. Until the Court rules on that motion, all materials designated as Protected  
13 Information shall continue to be treated as Protected Information.

14 **IT IS FURTHER ORDERED** that neither the defendants nor any member of the defense team  
15 shall provide any Protected Information to any third party (*i.e.*, any person who is not a member of the  
16 defense team) or make any public disclosure of the same, other than in a sealed court filing, without the  
17 government's express written permission or further order of this Court. However, the defense team may  
18 review Protected Information with a potential trial witness without the government's permission,  
19 provided that no member of the defense team shall provide a potential witness with copies of, or permit  
20 a potential witness to make copies of, or have unsupervised access to, the Protected Information. If a  
21 party files a pleading that references, contains, or attaches Protected Information subject to this  
22 Protective Order, that filing must be under seal.<sup>1</sup>

23 **IT IS FURTHER ORDERED** that, if after the conclusion of the case, any defendant is  
24 represented by new counsel and files a motion pursuant to 28 U.S.C. § 2255, the United States will  
25 provide new counsel with the documents and materials subject to and under the terms of this Protective  
26 Order. This stipulation is without prejudice to any party applying to the Court to modify the terms of

27 \_\_\_\_\_  
28 <sup>1</sup> This Order authorizes such filings under seal, and the parties are not required to seek additional  
authorization from the Court to do so.

any protective order, with respect to pro se litigation pursuant to 28 U.S.C. § 2255 or otherwise. This Court shall retain jurisdiction to modify this Protective Order upon motion of any party even after the conclusion of district court proceedings in this case.

DATED: June 26, 2019

Respectfully submitted,  
DAVID L. ANDERSON  
United States Attorney

/s/ Casey Boome  
CASEY BOOME  
Assistant United States Attorney

/s/ with permission  
ETHAN ATTICUS BALOGH  
Attorney for Marco Delgadillo

/s/ with permission  
RICHARD B. MAZER  
Attorney for Lorenzo Lee

/s/ with permission  
CANDIS MITCHELL  
Attorney for Anthony Brown

/s/ with permission  
SCOTT A. SUGARMAN  
Attorney for Timothy Peoples


/s/ with permission  
JAMES SCOTT THOMSON  
Attorney for Deshawnte Gamboa

/s/ with permission  
JESSICA WALSH  
Attorney for Jose Delgadillo

/s/ with permission  
RANDY SUE POLLOCK  
Attorney for Deborah Polk

IT IS SO ORDERED.

DATED: June 26, 2019

  
HON. RICHARD SEEBORG  
United States District Judge